

Chairman Filler and members of the Judiciary Committee:

I oppose HB# 5679 and the recent substitute bill being proposed by Michigan Legislators. This bill does not change much about Michigan's sex offense registration act, and does not address unconstitutional items as ruled by Judge Robert H. Cleland. Michigan's current registry has been found to be unconstitutional, and HB 5679 further complicates, rather than simplifies, A revised SORA must fully address the Sixth Circuit findings.

**Several provisions of the Michigan SORA were found unconstitutional over +4 years ago, necessitating substantially amending the law. Lawyers and advocates have been working with the legislature since 2016 to propose a fair and just alternative, and there were many areas where we had agreement. HB 5679 incorporates none of those agreed-upon provisions and is inadequate at curing the constitutional flaws in Michigan's Sex Offender Registry Act. It needs to be rewritten to meet constitutional muster.**

Impact of being a Tier 1 registrant:

- I have a son in elementary school. I'm unable to support him at school in his education and after school activities/sporting events. The current registry impacts him (an innocent victim) and my other family members. School exclusion zones were a key focus of the Sixth Circuit courts finding that SORA is unconstitutional. I am forced to support my son in other ways so he is not faced with the embarrassment of his dad being on MI SORA.
- I have +25 plus years of sales experience. Trying to start my carrier over was difficult. I had two jobs that I was more than qualified for only to be terminated 1 month into employment after background checks are completed. I was honest upfront about my situation, only to be told they didn't want me working for the corporation.
- Tier classification, The Sixth Circuit court found, "SORA ascribes and publishes tier classifications corresponding to the states **“estimation of present dangerousness without providing for any individualized assessment.”** As AG Nessel writes, "thus, the problem with tiers as outlined by the Sixth Circuit may remain unconstitutional for registrants moving forward."
- In person reporting – a burdensome process especially for those who must register for the rest of their lives. As found be the Sixth Circuit court, in person visits to law enforcement "appears to have NO relationship to public safety at all." I have experienced first hand harassment because of the information the general public is able to access.

The current Law (in any form) will continue to punish me and 95% of the registrants after serving our sentences. It is difficult to maintain employment and to be able to support my son. Because of the SORA's negative impact.

In my opinion, a revised SORA should include:

- ~ A private registry, shorter registration periods.
- ~ No school exclusion zones.
- ~ An early path off the registry if you can show you no longer pose a danger.
- ~ Online reporting
- ~ Tier I registrants should not be on ANY registry.
- ~ Registrants should never be faced with Ex Post Facto once they have agreed to sentencing and served their sentence.
- ~ It *should not* be necessary to provide telephone/cell numbers, internet/email identifiers as I'm currently required to do. This only opens the registrant up to continued threats and harassment.

Please take this time to re-write SORA to make it constitutional and addresses the known shortcomings. The current law is draconian and needs to be fixed or completely rewritten. The current SORA impacts well over +100K Michiganders, many of whom are watching and will vote accordingly when the time comes.

Thank you,

James C.